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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 035879/0116

In re patent application of
Thomas E. WAGNER, *et al.*
Serial No. 09/756,293
Filed: January 9, 2001
Title: *Hybrid Cells*

Group Art Unit: 1632

Examiner: Q. Li

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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

In response to the Restriction Requirement dated January 14, 2002, the due date for response having been extended one month to March 14, 2002, Applicants request that the following remarks be made of record in the above-captioned patent application.

REMARKS

The Examiner has restricted the claims into the following six groups:

Group I: claims 1-3, directed to a kit comprising endotoxin-free dye, an agent that promotes cell fusion, and instructions for preparation;

Group II: claims 4 and 10-13, directed to a hybrid cell population;

Group III: claims 14-22, directed to a method for preparing a hybrid cell;

Group IV: claims 5, 23 and 24, drawn to a hybrid cell preparation comprising a hybrid of a primary tumor cell and an antigen presenting cell, and a method of using said hybrid cells for treating cancer;

Group V: claims 6, 7, 27 and 28, drawn to a hybrid cell preparation comprising a hybrid of a normal cell and an antigen presenting cell, and a method of using said hybrid cells for inducing immune tolerance to an antigen; and

Group VI: claims 8, 9, 25 and 26, drawn to a hybrid cell preparation comprising a hybrid of a pathogenic cell and an antigen presenting cell, and a method of using said hybrid cells for treating a disorder associated with the presence of a pathogenic organism.